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ABSTRACT

Collective bargaining has become a more visible issue within higher education as the number of part-time and adjunct faculty members grows and as campuses engage in restructuring and program discontinuation. This Critical Issue Bibliography (CRIB) Sheet highlights a few general resources about collective bargaining and draws attention to institutions that produce the majority of the information on collective bargaining. The annotated bibliography contains citations for documents that address: (1) legal issues; (2) human resources issues; (3) graduate student issues; and (4) contract trends. The bibliography lists 30 references, all of which are in the ERIC database. (SLD)

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Critical Issue Bibliography (CRIB) Sheet:

Collective Bargaining in Higher Education

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This CRIB sheet was updated in January 2002.

Critical Issue Bibliography (CRIB) Sheet:
Collective Bargaining in Higher Education

Collective bargaining has become a more visible issue within the higher education enterprise as the number of part-time and adjunct faculty members grows and as campuses engage in restructuring and program discontinuance. In light of the growing importance of collective bargaining, higher education professionals should familiarize themselves with available resources on the topic. This bibliography highlights a few general resources. It also highlights organizations responsible for producing the majority of information on collective bargaining, including the National Center for the Study of Collective Bargaining in Higher Education and the Professions, the National Education Association/American Federation of Teachers, and the American Association of University Professors.

This bibliography contains citations for documents that address the following topics: 1) legal issues; 2) human resources issues; 3) graduate student issues; and 4) contract trends.

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National Center for the Study of Collective Bargaining

ED446638
Naples, Ceasar J. Ed. (1999, April 19-20). *Collective bargaining and accountability in higher education: A report card.* Proceedings of the 27th Annual Conference of the National Center for the Study of Collective Bargaining in Higher Education and the Professions, New York, NY.
Following an introduction, listing of the program for the Twenty-Seventh Annual Conference, and description of the Center, this conference proceedings contains papers presented at the conference.

ED409814
Johnson, Beth Hillman. (Ed.). (1996, April 24). *Higher education collective bargaining: Back to "CB" basics.* Proceedings of the Annual Conference of the National Center for the Study of Collective Bargaining in Higher Education and the Professions, New York,

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NY.
The publication is redone annually in connection to the annual conference.

ED380041
Annunziato, Frank R. (1994, November/December). Faculty strikes in higher education: 1966-1994. *National Center for the Study of Collective Bargaining in Higher Education and the Professions Newsletter, 22*, 4.
This document looks at the striking trends among college and university faculty during the 29-year period from 1966 to 1994.

ED371695
Annunziato, Frank R. (1994, February/January). Unionization among college faculty 1994. *National Center for the Study of Collective Bargaining in Higher Education and the Professions Newsletter, 22*, 1.
The theme of this newsletter looks at the increase in faculty involved in collective bargaining organizations.

ED371693
Annunziato, Frank R. (1993, November/December). Newsletter of newsletters, 1973-1993. *National Center for the Study of Collective Bargaining in Higher Education and the Professions Newsletter, 21*, 4.
A summary of the National Center's newsletters over a 20-year period.

NEA

ED378865
(2000). *The NEA 2000 almanac of higher education*. Washington, DC: National Education Association.
This almanac contains seven current issues in higher education and offers a salary report for 1998-1999.

AAUP

EJ618321
Moser, Richard. (2000, Summer). The AAUP Organizes Part-Time Faculty. *Academe, 86*, 6, 4-10.
Describes an experiment in organization by the American Association of University Professors, in cooperation with the Coalition of Contingent Academic Labor, to address the working conditions of Boston area adjunct faculty by promoting coalition building, organizing part- and full-time faculty to improve conditions for adjuncts, and educating the public about the importance of preserving quality education for future generations.

ED333792
American Association of University Professors. (1989, September 1). *Agreement between University of Cincinnati and American Association of University Professors, University of Cincinnati Chapter. September 1, 1989 to August 31, 1992*. Washington, DC:

American Association of University Professors.
The collective bargaining agreement between the University of Cincinnati and the University of Cincinnati Chapter of the American Association of University Professors (AAUP), for the period September 1, 1989 through August 31, 1992 is presented. This is just a sample of the many collective bargaining agreements you can obtain from ERIC or by contacting AAUP.

Overview

EJ609185
McDonald, Kathlene. (2000, Summer). Same goals, but another way of getting there. *Social Policy, 30*, 4, 23.
Describes the work of the Graduate, Adjunct, Lecturers: Organized Labor at the University of Maryland, noting that the bulk of graduate student struggles overall has occurred at state institutions. The group lobbied state legislators to include nontenured faculty in a bill granting collective bargaining to state employees. Highlights the importance of struggling within the state legislature.

ED432204
Zoe, L. R., & Johnson, B. H. (1998). *Collective bargaining in higher education and the professions. Bibliography nos. 23-25.* New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions.
This bibliography reviews the current (1995-1997) research and literature concerned with collective bargaining in higher education and the professions.

EJ568895
Eickhoff, Harold W. (1998, July/August). One side against the other. *Trusteeship, 6*, 4, 24-27.
Far from ensuring effective shared governance, collective bargaining in higher education does little but clarify work rules; it concerns money, not institutional mission. In addition, the antagonism produced by faculty collective bargaining helps discredit education in the larger public arena.

ED398827
Lowe, Ida B, & Johnson, Beth Hillman (eds.). (1994, January). *Collective bargaining in higher education and the professions. Bibliography no. 22.* New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions.
This bibliography of citations is an annual accounting of the literature on collective bargaining in higher education and the professions for 1993.

Legal

EJ612909
Bodah, Matthew M. (2000). *Significant labor and employment law issues in higher education during the past decade and what to look for now: The perspective of an*

academician.
An academician explores major issues in higher education labor law during the 1990s: union organizing by graduate teaching assistants, bargaining and workload issues, developments concerning grievance arbitration, and rights of individual faculty members within unions. Issues likely to arise in the next decade include alternatives to tenure, nonstandard employment contracts, nature of faculty work in light of new technologies, and the use of for-profit educational institutions.

EJ577671
Malamud, Deborah C. (1998, November/December). Collective bargaining and the professoriate: What the law says. *Academe, 84*, 6, 18-22.
Discusses the National Labor Relations Board v. Yeshiva University case, which ruled that college faculty were managers and thereby excluded from collective bargaining, focusing on why the Supreme Court classified professors as managers, whether the Court did something unusual in this case, or whether faculty is simply the unlucky vanguard of a more sweeping judicial revision of collective bargaining rights.

ED370212
Barlett, Larry D., & Helms, Lelia B. (1994). *Recent developments in public education law.* Washington, DC: American Bar Association.
This document is an analysis of court litigation in issues of school law. It is equally divided between decisions affecting school districts and those directed at postsecondary institutions.

ED375764
Dilts, David A., & Others. (1994). *Assessing what professors do: An introduction to academic performance appraisal in higher education. Contributions to the study of higher education, Number 61.* Westport, CT: Greenwood Publishing Group.
This book examines faculty performance appraisal in light of the ethical and legal issues currently involved in the appraisal process.

EJ489662
Nagle, Patrick. (1994, Winter). Yeshiva's impact on collective bargaining in public-sector higher education. *Journal of College and University Law, 20*, 3, 383-403.
This article reviews and interprets the 1980 case of the National Labor Relations Board (NLRB) vs. Yeshiva University. It also considers state legislatures' responses to the decision, subsequent related NLRB decisions, and the case's overall impact on education reform in the context of individual cases and of collective bargaining.

ED383036
Thomas, Stephen B., ed. (1994). *The yearbook of education law 1994.* Topeka, KS: National Organization on Legal Problems in Education.
Judicial decisions affecting education policy and management that were handing down in 1993 by state and federal courts are summarized and analyzed in this book.

EJ489656
Lyons, Edward C. (1993, Fall). "EEOC v Board of Governors of State Colleges and Universities": Collective bargaining agreements and age discrimination in employment act claims: What counts as retaliation under ADEA section 4(D)? *Journal of College and University Law, 20*, 2, 241-59.
Looks at court litigation in which the claim was made that a faculty collective bargaining agreement violated the Age Discrimination in Employment Act. Considers different judicial rationales, and provides a practical solution for colleges and universities.

Human Resources

EJ613163
Rhoades, Gary. (2000, Summer). New unionism and over-managed professors. *Thought & Action, 16*, 1, 83-98.
Discussion of higher education faculty and unions urges a "public professional unionism" in which faculty and staff work cooperatively with administrators to promote quality in instruction and a high level of professionalism through participative decision making. Argues that higher education unions must also pay more attention in collective bargaining agreements to the public interest.

EJ520073
Annunziato, Frank R. (1995, Winter). From conflict to accord: Collective bargaining at the academy. *New Directions for Higher Education, 92*, 51-57.
The extent to which collective bargaining, as a model for conflict resolution, has permeated higher education is examined, and extracts from collective bargaining agreements are analyzed to illustrate the unique nature of collective bargaining for this purpose.

ED369377
Julius, Daniel J. (ed.). (1993). *Managing the industrial labor relations process in higher education*. Washington, DC: College and University Personnel Association.
This book contains 25 articles dealing with the subject of industrial relations in higher education.

Graduate Students

ED378864
Lanzerotti, Rachel, & Others (eds.). (1995). *Directory of graduate student employee bargaining agents and organization*. New York: National Center for the study of Collective Bargaining in Higher Education and the Professions.
This publication is a directory of recognized graduate employee labor organizations and other student organizations not yet recognized as bargaining agents. It was written partly in response to increased interest in collective bargaining among graduate student workers.

ED371694
Annunziato, Frank R., & Others. (1994, April/May). Graduate assistants and

unionization. *National Center for the Study of Collective Bargaining in Higher Education and the Professions Newsletter, 22*, 2.
This newsletter is a collection of articles focusing around the theme issue of the unionization of graduate student assistants at institutions of higher education.

Contract Trends

ED447500
Schell, Eileen E., Ed., & Stock, Paticia Lambert, Ed.. (2001). *Moving a mountain: transforming the role of contingent faculty in composition studies and higher education.* This book addresses the counterproductive conditions in which part-time and non-tenure-track composition faculty must teach, using case studies, local narratives, and models for ethical employment practices. It presents and evaluates a range of proactive strategies for change, both for local conditions and broader considerations.

ED432203
Hurd, R., Foerster, A., & Hillman, B. (1997, January). *Directory of faculty contracts and bargaining agents in institutions of higher education.* [Volume 23]. New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions. This directory provides detailed data on unionization activities among college and university faculty in 1996 in the United States and Canada.

EJ534374
Rhoades, Gary. (1996, November/December). Reorganizing the faculty workforce for flexibility: Part-time professional labor. *Journal of Higher Education, 67*, 626-59.
Content analysis of the collective bargaining agreements of 183 higher education institutions/systems found extensive managerial discretion and limited professional constraints regarding the use of part-time faculty, in appointment/release workforce actions such as retrenchment, and the ratio of part-time to full-time faculty.

ED393338
Annunziato, Frank R. (1995, September/October). Faculty workload and collective bargaining. *National Center for the Study of Collective Bargaining in Higher Education and the Professions Newsletter, 23*, 3.
This study examined faculty workload rules in the collective bargaining agreements at the 20 largest unionized colleges and universities to understand if and how labor and management have negotiated faculty workload provisions.

ED382070
Annunziato, Frank R. (1995, January/February). Unionization among college faculty 1995. *National Center for the Study of Collective Bargaining in Higher Education and the Professions Newsletter, 23*, 1.
The article examines the unionization trends among college faculty in 1994.

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